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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,685	02/13/2001	Roy Hays	181138002US1	9957

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BETHESDA, MD 20817

EXAMINER

TRAN, PHILIP B

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/782,685

Applicant(s)

HAYS ET AL.

Examiner

Philip B Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

2. As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Note that, a Brief Summary of Invention is missing. Appropriate correction is required.

***Claim Rejections - 35 U.S.C. § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3 and 5-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by LeRoy et al (Hereafter, LeRoy) U.S. Pat. No. 5,970,474.

Regarding claim 1, LeRoy teaches a method in a computer system for distributing user information for registered users from the computer system to collection kiosks (= registry information system for users at registry kiosks (14) or (24)) [see Fig. 1 and Abstract], the method comprising:

providing user information for registered users (= enrolling information by the registrants) [see Col. 5, Lines 10-24];

receiving updates to the user information (= retrieving updated registry data from the host computer (30) over the LAN via data collector (18) or (28) wherein updated registry data are storing in the registry database) [see Col. 5, Lines 37-41 and Col. 7, Lines 9-13];

generating update user information (= updating the registry list) [see Col. 6, Lines 39-43 and Col. 7, Lines 9-34];

for each of the collection kiosks (= registry kiosk (14) or (24)),

receiving a request from the collection kiosk for the generated update user information (= searching for an updated registry list) [see Col. 5, Lines 25-34];

sending to the requesting collection kiosk the update user information wherein the collection kiosks use the update user information to verify whether a user is registered (= entering, at the registry kiosk, to change registry information) [see Col. 8, Lines 40-45] .

Regarding claim 3, LeRoy further teaches the received update user information includes indications of whether to add a registered user, delete a registered user, or change information relating to a registered user (= updated list with original information may be modified) [see Col. 7, Lines 9-34 and Col. 8, Lines 40-45].

Regarding claim 5, LeRoy further teaches the user information includes a user identifier and a password (= registry ID and password) [see Col. 8, Lines 40-45].

Regarding claim 6, LeRoy teaches a method in a collection kiosk for retrieving updated user information (= registry information system for users at registry kiosks (14) or (24)) [see Fig. 1 and Abstract], the method comprising:

providing user information for registered users (= enrolling information by the registrants) [see Col. 5, Lines 10-24];

sending a request for updated user information (= searching for an updated registry list) [see Col. 5, Lines 25-34];

in response to sending the request, receiving the updated user information (= retrieving updated registry data from the host computer (30) over the LAN via data collector (18) or (28) wherein updated registry data are storing in the registry database) [see Col. 5, Lines 37-41 and Col. 7, Lines 9-13]; and

updating the provided user information for the registered user (= updating the registry list) [see Col. 6, Lines 39-43 and Col. 7, Lines 9-34] in accordance with the received updated user information so that the collection kiosk can verify whether a user of the collection kiosk is registered (= entering, at the registry kiosk, to change registry information) [see Col. 8, Lines 40-45] .

5. Claims 7-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Bluth et al (Hereafter, Bluth) U.S. Pat. No. 6,692,436.

Regarding claim 7, Bluth teaches an information collection system (= health information system) [see Abstract] comprising:

a central computer system for a web site (= health information server (104)), the central computer system providing a repository for the information (= storage of personal history information) [see Col. 4, Lines 23-28 and Col. 5, Lines 51-54], web pages for registering users of the web site (= registration form with a web site) [see Fig. 17 and Col. 14, Lines 18-21], and for accessing the information (= for users accessing information) [see Col. 5, Lines 51-54]; and

a plurality of collection kiosks (= health information kiosks (110)) [see Fig. 1] for collecting information about users (= maintaining a local archive of user information)

[see Col. 4, Lines 1-5], for verifying whether a user is registered at the web site (= verifying user by authentication with access ID number and password) [see Col. 13, Lines 10-32], and for sending the collected information to the central computer system when the user is registered (= loading information from many users and all information generated on the health information kiosks (110) to the central health information server (104)) [see Col. 4, Lines 23-29].

Regarding claim 8, Bluth further teaches the information is medical information (= tracking of health reading including blood pressure, heart rate and weight) [see Col. 4, Lines 17-18].

Regarding claim 9, Bluth teaches a computer-based method for collecting medical information of users of a web site (= health information system for tracking of health reading including blood pressure, heart rate and weight) [see Abstract and Col. 4, Lines 17-18], the method comprising:

registering the users at the web site when information about a user is collected at one of a plurality of collection kiosks, determining whether the user is registered at the website (= registration form with a web site [see Fig. 17 and Col. 14, Lines 18-21] wherein verifying user by authentication with access ID number and password [see Col. 13, Lines 10-32]); and

when registered, sending the collected information to a computer system so that the collected information is accessible to the user through the web site (= loading

information from many users and all information generated on the health information kiosks (110) to the central health information server (104) [see Col. 4, Lines 23-29] wherein users can access information via the Internet [see Col. 5, Lines 51-54]).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeRoy et al (Hereafter, LeRoy) U.S. Pat. No. 5,970,474 in view of McMillan, U.S. Pat. No. 5,826,267.



Regarding claim 2, LeRoy does not explicitly teach the collection kiosks operate as FTP clients and the computer system operates as an FTP server.

However, McMillan, in the same field of client-server architecture with information kiosk endeavor, discloses the use of File Transfer Protocol (FTP) known as one of Internet client/server protocol [see McMillan, Col. 2, Lines 1-15]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the implementation of File Transfer Protocol (FTP), disclosed by McMillan, into the system of registry information to collect information from kiosks for storing in the central server disclosed by LeRoy, in order to enable the user to efficiently upload and download files to and from a remote FTP site over the network such as the Internet.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over LeRoy et al (Hereafter, LeRoy) U.S. Pat. No. 5,970,474 in view of Bluth et al (Hereafter, Bluth), U.S. Pat. No. 6,692,436.

Regarding claim 4, LeRoy does not explicitly teach a collection kiosk sends a request for the generated update user information once a day.

However, Bluth, in the same field of collecting information from kiosks for storing in the central server endeavor, discloses loading information from many users and all information generated on the health information kiosks (110) to the central health information server (104) on a daily basis [see Bluth, Col. 4, Lines 23-29]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate implementation of updating user information daily, disclosed by Bluth, into

the system of registry information to collect information from kiosks for storing in the central server disclosed by LeRoy, in order to maintain accurate and current information available to users {see Bluth, Col. 4, Lines 30-33}.

***Other References Cited***

9. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A) Robertson, U.S. Pat. No., 6,609,106 discloses registry services over a distributed network.

B) Delph, U.S. Pat. No. 6,286,029, discloses retrieving content data from the server and transmitting to the kiosk.

C) Logan et al, U.S. Pat. No. 5,781,909, discloses kiosk management with combined local and remote data storage.

D) Hunt et al, U.S. Pat. No. 6,496,855, discloses web site registration system.

E) Bezos et al, U.S. Pat. No. 6,029,141, discloses internet-based customer referral system.

F) Pittarelli, U.S. Pat. Application Pub. No. US 2003/0061271, discloses kiosk based service network and central station.

G) Holfelder et al, "A Network Multimedia Retrieval Management System for Distributed Kiosk Applications", IEEE 1994, discloses kiosk system.

10. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS, OR THIRTY DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (703) 308-6662.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Philip Tran*  
Philip B. Tran  
Art Unit 2155  
May 14, 2004